

## Calendar No. 13

108TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
108-5

### FLORIDA NATIONAL FOREST LAND MANAGEMENT ACT OF 2003

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FEBRUARY 11, 2003.—Ordered to be printed

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Mr. DOMENICI, from the Committee on Energy and Natural  
Resources, submitted the following

### R E P O R T

[To accompany S. 117]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 117) to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE MEASURE

The purpose of S. 117 is to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida.

#### BACKGROUND AND NEED

Early Spanish explorers were impressed by the tall stately trees and lawn-like underbrush typical of the Southeast's longleaf pine forests, which now occupy just 3 million of their original 90 million acres. Today, thick palmetto and other undergrowth have fundamentally changed the landscape's character.

In the Apalachicola National Forest in Florida, the Forest Service is trying to bring back the longleaf pine forests. The tool of choice to clear away palmetto and other undergrowth is prescribed fire, which leaves only the thick-barked longleaf pines and wiregrass. Prescribed fire mimics the work of lightning-caused fires in the era before recent decades of fire suppression.

Prescribed burns, however, are difficult to implement because private inholders are concerned that their homes could be at risk. Acquisition of these parcels is important because private inholdings adjacent to Post Office Bay are being considered for sale as small

acreage second homes and vacation sites. Just recently, 1,180 acres of a major 2,500 acre inholding has been purchased.

S. 117 would assist the Secretary of Agriculture's efforts to acquire this inholding, as part of the Forest Service's effort to use prescribed fire to restore longleaf pine forests by allowing sale or exchange of certain lands.

S. 117 would authorize the Forest Service to sell or exchange 17 noncontiguous parcels of land in Okaloosa County, in Florida's Panhandle, that have been returned to the Forest Service by the Department of Defense. These parcels are high in value, some have potential buyers, and several are encumbered with urban structures, such as baseball fields and the county fairgrounds.

#### LEGISLATIVE HISTORY

S. 117 was introduced by Senator Graham on January 9, 2003. A similar bill, S. 2652, was introduced by Senator Graham in the 107th Congress. The Subcommittee on Public Lands and Forests held a hearing on S. 2652 on July 30, 2002. The Committee favorably reported the bill with amendments on October 3, 2002 and the Senate passed S. 2652, as amended, as part of amendment 4975 to S. 198 on November 19, 2002. At its business meeting on February 5, 2003, the Committee ordered S. 117 favorably reported without amendment.

#### COMMITTEE RECOMMENDATIONS

The Senate Committee on Energy and Natural Resources, in open business session on February 5, 2003, by a voice vote of a quorum present, recommends that the Senate pass S. 117 as described herein.

#### SECTION-BY-SECTION ANALYSIS

*Section 1* entitles the bill the "Florida National Forest Land Management Act of 2003".

*Section 2* defines key terms used in the bill.

*Section 3* authorizes the Secretary of Agriculture to sell or exchange 17 parcels of Federal land in the State of Florida and is self-explanatory.

*Section 4* specifies that land acquired by the United States will be administered in accordance with laws and regulations applicable to the National Forest System, and is self-explanatory.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, February 6, 2003.

Hon. PETE V. DOMENICI,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 117, the Florida National Forest Land Management Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

DOUGLAS HOLTZ-EAKIN, *Director*.

Enclosure.

*S. 117—Florida National Forest Land Management Act of 2003*

CBO estimates that enacting S. 117 would not significantly affect the federal budget. The bill would increase offsetting receipts and the spending of such receipts, but we estimate that the net impact on direct spending would not exceed \$500,000 a year. S. 117 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

S. 117 would authorize the Secretary of Agriculture to sell or exchange certain federal lands in Florida. The bill would authorize the Secretary to spend, without further appropriation, any proceeds from land sales to acquire nonfederal lands and interests in that state and to reimburse federal administrative costs incurred under the bill.

According to the Forest Service, the federal lands to be sold or exchanged currently generate no significant receipts and are not expected to do so over the next 10 years. By providing authority for the Secretary to sell those lands, CBO expects that enacting S. 117 would increase offsetting receipts (a credit against direct spending) from land sales. Based on information from the Forest Service regarding the value of the affected lands, CBO estimates that the proceeds from such sales would total \$2 million in each of fiscal years 2004 through 2006. We also estimate that those amounts would largely be spent in the same year they are received; hence, we estimate that the net change in direct spending would not exceed \$500,000 a year.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Paul R. Cullinan, Chief for Human Resources Cost Estimates Unit of the Budget Analysis Division.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 117. The bill is not a regulatory measure in the sense of imposing government-established standards or significant responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 117, as ordered reported.

EXECUTIVE COMMUNICATIONS

On, February 5, 2003, the Committee requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth Executive Agency recommendations on S. 117. These reports had not been received at the time the report on S. 117 was filed. When the reports become available,

the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 117, as ordered reported.

